

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of James C. DIGGANS *et al.*

Confirmation No.: 1710

Application No. 10/580,423

Group Art Unit: 1631

Filed: May 24, 2006

Examiner: *To Be Assigned*

For: **METHODS FOR MOLECULAR TOXICOLOGY MODELING**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND REQUEST FOR CORRECTED FILING RECEIPT

The Applicant respectfully requests that a corrected filing receipt be issued for the above-identified application. The requested correction is as follows:

Please amend the Domestic Priority data as follows:

--This application is a 371 of PCT/US04/39593 11/24/2004, which claims the benefit of U.S. Provisional Application No. 60/554,981 03/22/2004 and U.S. Provisional Application No. 60/613,831 09/29/2004, and claims priority to PCT Application No. PCT/US03/37556 11/24/2003--

A copy of the Filing Receipt with the requested changes marked is attached. Also attached is a copy of the front page of the application as filed, showing the priority data in section (30), in accordance with 37 C.F.R. §1.78(a)(5).

The correction is required due to Patent Office error, and no fee is believed to be required. Nevertheless, the Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: 5-28-09


USPTO Customer No. 58249

COOLEY GODWARD KRONISH LLP
ATTN: Patent Group
777 6th Street, NW Suite 1100
Washington, DC 20001
Phone: (202) 842-7800
Fax: (202) 842-7899

Respectfully submitted,

COOLEY GODWARD KRONISH LLP

By:



Mark L. Hayman
Reg. No. 51,793



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GR/PART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
10/580,423	02/06/2008	1631	3010	GENE-120/02US	55	5

CONFIRMATION NO. 1710

FILING RECEIPT



0000000030728157

58249
 COOLEY GODWARD KRONISH LLP
 ATTN: Patent Group
 Suite 1100
 777 - 6th Street, NW
 WASHINGTON, DC 20001

Date Mailed: 07/01/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

James C. Diggins, Gaithersburg, MD;
 Michael Elashoff, Gaithersburg, MD;

Power of Attorney: The patent practitioners associated with Customer Number 58249

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/39593 11/24/2004, which claims the benefit of US Provisional Application no. 60/554,981 03/22/2004 and US Provisional Application no. 60/613,831 09/29/2004, and claims priority to PCT Application no. PCT/US03/37556 11/24/2003

If Required, Foreign Filing License Granted: 06/29/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/580,423**

Projected Publication Date: 10/09/2008

Non-Publication Request: No

Early Publication Request: No

(19) World Intellectual Property
Organization
International Bureau



(43) International Publication Date
9 June 2005 (09.06.2005)

PCT

(10) International Publication Number
WO 2005/052181 A2

- (51) International Patent Classification⁷: **C12Q**
(21) International Application Number:
PCT/US2004/039593
(22) International Filing Date:
24 November 2004 (24.11.2004)
(25) Filing Language: English
(26) Publication Language: English

(30) Priority Data:		
PCT/US2003/037556		
60/554,981	24 November 2003 (24.11.2003)	US
60/613,831	22 March 2004 (22.03.2004)	US
	29 September 2004 (29.09.2004)	US

- (71) Applicant (for all designated States except US): GENE LOGIC, INC. [US/US]; 610 Professional Drive, Gaithersburg, MD 20879 (US).
(72) Inventors; and
(75) Inventors/Applicants (for US only): DIGGANS, James, C. [US/US]; 610 Professional Drive, Gaithersburg, MD 20879 (US). ELASHOFF, Michael [US/US]; 610 Professional Drive, Gaithersburg, MD 20879 (US).
(74) Agents: TUSCAN, Michael, S. et al.; Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004 (US).

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GR, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LU, MC, NL, PL, PT, RO, SI, SK, TR), OAPI (BF, BJ, CI, CG, CL, CM, GA, GN, GQ, GW, ML, MR, NI, SN, TD, TG).

Published:

— without international search report and to be republished upon receipt of that report

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: METHODS FOR MOLECULAR TOXICOLOGY MODELING

(57) Abstract: The present invention is based on methods of predicting toxicity of test agents and methods of generating toxicity prediction models using algorithms for analyzing quantitative gene expression information. The invention also includes computer systems comprising the toxicity prediction models, as well as methods of using the computer systems by remote users for determining the toxicity of test agents.